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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/362,052	07/28/1999	YOICHI MATSUYAMA	35.C13703	6357

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EXAMINER

HU, JINSONG

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 03/18/2003

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/362,052

Applicant(s)

MATSUYAMA ET AL.

Examiner

Jinsong Hu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 January 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 7/23/99 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner. *by and approved by draftsman.*
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Detailed Action

1. Claims 1-37 are presented for examination.
2. The Drawings has been approved by the Draftsperson.
3. Claim 27 is objected to because there is a typo [i.e., line 5, "of" should be "for"].
Correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-5, 7-8, 10-14, 16-17, 19-23, 25-26 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuyama (US 6,330,068 B1).
6. As per claim 1, Matsuyama teaches the invention as claimed including an information processing apparatus [103, Fig. 1] for communicating via the Internet with an external apparatus [104, Fig. 1; col. 7, lines 15-21], comprising:

acquisition means for acquiring, via the Internet, print setting information from the external apparatus [col. 7, lines 34-36], the print setting information being necessary for generating request information [col. 7, lines 34-36; col. 11, lines 48-50];

generation means for generating the print request information based on the print setting information acquired by said acquisition means [col. 39, lines 10-17]; and.

print request means for establishing communication, via the Internet [col. 7, lines 15-21], with the external apparatus for the transmission of the print request information [col. 39, lines 5-9].

7. Matsuyama does not specifically teach that the generating process does not require connecting the external apparatus via the Internet and the print request information is generated by the generation means before the print request means establishes communication with the external apparatus. It would have been obvious to a person of ordinary skill in the art that finalized the print request before connecting the external apparatus since the information processing apparatus in Matsuyama's system stored the information for operating the printers. One of ordinary skill in the art would have been motivated to modify Matsuyama's system to improve the efficiency of the system by avoiding retrieve the information that is available at the local terminal.

8. As per claim 2, Matsuyama teaches that the print setting information is the information indicates an output style in which output is available at a printer that

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executing printing based on the print request information [col. 7, lines 34-36; col. 11, lines 48-50].

9. As per claims 3-5, Matsuyama teaches the invention substantially as claimed in claim 1. Matsuyama also teaches the step of deriving the expenses that are to be incurred to obtain the printing results [payment, Fig. 6]. However, Matsuyama does not specifically teach the steps of updating the setting information and expense information after establishing communication with said external apparatus. It would have been obvious to a person of ordinary skill in the art that to retrieve the latest system information in Matsuyama's system in order to provide the accurate information to users. One of ordinary skill in the art would have been motivated to modify Matsuyama's system to improve the integrity of the system.

10. As per claim 7, Matsuyama teaches that the generating means is adapted to perform a peruser plug-in function, and uses an application communication function of an operating system to generate print request information for a document that is currently being edited by a document editor [101, Fig. 1; col. 10, lines 31-43].

11. As per claim 8, Matsuyama teaches that a dial-up connection is used to connect the external apparatus to the Internet [col. 7, lines 20-21].

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12. As per claims 10-14 and 16-17, since they are method claims of claims 1-5 and 7-8, they are rejected under the same basis as claims 1-5 and 7-8.

13. As per claims 19-23 and 25-26, since they are computer program claims of claims 1-5 and 7-8, they are rejected under the same basis as claims 1-5 and 7-8.

14. As per claim 27, since it is a memory claim of claim 1, it is rejected under the same basis as claim 1.

15. As per claim 28, since it is a computer program claim of claim 1, it is rejected under the same basis as claim 1.

16. Claims 6, 15 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsuyama (US 6,330,068 B1) in view of Sasaki et al. (US 6,351,317 B1).

17. As per claim 6, Matsuyama teaches the invention as claimed in claim 1. Matsuyama does not specifically teach that the print setting information is HTML data generated for the external apparatus, and said external apparatus manages the print setting information for each of at least one output shop.

18. Sasaki on the other hand teaches a method discloses that the print setting information is HTML data generated for the external apparatus, and wherein the

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external apparatus manages the print setting information for each of at least one output shop [col. 15, lines 8-43].

19. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Matsuyama and Sasaki because utilizing Sasaki's HTML format print setting information in Matsuyama's system would improve the capability Matsuyama's system by allowing user printing the desired web page. One of ordinary skill in the art would have been motivated to modify Matsuyama's system with HTML format setting information in order to improve the capability of the system.

20. As per claim 15, since it is a method program claim of claim 6, it is rejected under the same basis as claim 6.

21. As per claim 24, since it is a computer program claim of claim 6, it is rejected under the same basis as claim 6.

22. Claims 9, 18, 27 and 29-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki et al. (US 6,351,317 B1).

23. As per claims 9 and 29-31, Sasaki teaches the invention substantially as claimed including an information processing apparatus [208] comprising:

network browsing means for communicating with a server across a network and for displaying data received from the server [col.13, lines 58-65];

acquisition means for acquiring information from the server and for storing said information at a client computer [col.13, line 57- col. 14, line 3]; and

display data generation means having a function for employing said information held by said client computer and separately acquired HTML template data to generate HTML data that said network browsing means is capable of displaying [col. 14, lines 4-23].

24. However, Sasaki does not specifically teach that the information is the print setting information and Sasaki fails to teach the step of rewriting the print setting information by CGI. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the print setting information in the information which received from the server and rewriting the print setting information by CGI in Sasaki's system based on logical reason. Because doing so would increase the accuracy of the print result by using a well-known script to modify the print setting information in order to satisfy the realistic print image. One of ordinary skill in the art would have been motivated to modify Sasaki's system with these steps to improve the performance of the system.

25. As per claims 18 and 32-34, since it is a method program claim of claims 9 and 29-31, it is rejected under the same basis as claims 9 and 29-31.

26. As per claims 27 and 35-37, since it is a computer program claim of claim 9, it is rejected under the same basis as claims 9 and 29-31.

Conclusion

27. In the remarks, applicant argued in substance that (1) Matsuyama does not teach generating the print request information before connect to external apparatus via Internet; (2) Matsuyama does not teach the acquisition means and generation means; (3) Matsuyama does not teach generating print request information; (4) Sasaki does not teach acquiring the print setting information.

28. Examiner respectfully traverses applicant's remarks:

A. As to point (1), once the print setting information has been acquired from the external apparatus and saved in the local terminal, it would have been obvious to a person of ordinary skill in the art to finalized print request before communicate to the external apparatus again.

B. As to point (2), applicant fails to consider the teaching of the reference for saving the image cache hit table [i.e., includes server ID etc. information] [col. col. 7, lines 34-36; col. 11, line 49] in printer controller. These print setting information are all acquired from the external apparatus.

C. As to point (2) and (3), applicant fails to consider the teaching of the reference for "the print order is not directly printed", the final print data being printed out based the "print order generated by the order control means", in the other words, the first print order won't initial a print action, it is print request information as applicant claimed in claim 1, only the second print order will cause the printer to print out the data.

D. As to point (4), applicant fails to consider the teaching of the reference for acquiring information from the external apparatus by browser. Sasaki does not specify that information is print setting information, it would have been obvious to a person of ordinary skill in the art to acquire the print setting information and rewrite it on the browser.

As discussed above, both Matsuyama and Sasaki are relevant references.

29. THIS ACTION IS MADE FINAL. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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30. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinsong Hu whose telephone number is (703) 306 – 5932.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An, can be reached on (703) 305-9678. The fax number for this Group is (703) 308-9052. Additionally, the fax numbers for Group 2100 are as follow:

Official Faxes: (703) 746-7239

After Final Responses: (703) 746-7238

Draft Responses: (703) 746-7240

Any inquiry of a general nature or relating to the status of the application should be directed to the Group receptionist at (703) 305-3900.

Jinsong Hu

March 12, 2003


MENG-AL T. AN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100